UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,468	04/09/2001	Gary L. Sextro	TI-30905	8685

			EXAMINER
23494	7590	04/19/2006	CHANG, SHIRLEY

TEXAS INSTRUMENTS INCORPORATED
P O BOX 655474, M/S 3999
DALLAS, TX 75265

ART UNIT	PAPER NUMBER
2623	

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/829,468	SEXTRO ET AL.
	Examiner	Art Unit	
	Shirley Chang	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 11, 18 have been considered but

are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1.   Claim(s) 11 is/are rejected under 35 U.S.C. 102(e) as being anticipated by

Ellis (20040117831).

As to claim 11 Ellis et al. discloses:

providing a broadcast signal comprising a video stream ("FIG. 1 shows a video

broadcasting system in accordance with one embodiment of the invention, generally

designated by reference numeral 10. Broadcasting system 10 includes a broadcast

source 12 and a plurality of receivers 14. The broadcast source in this embodiment of

the invention is a digital satellite system that broadcasts video content on multiple RF

frequencies or channels" [0013]);

embedding commands in the video stream, said embedded commands operable to

access interactive features, said embedded commands synchronized and correlated

with additional Internet-based content ("Broadcast source 12 includes means for

transmitting or otherwise conveying a primary video stream and ancillary digital data

content to receivers 14. In the case of digital satellite transmission, ancillary data can be

easily transmitted in digital form along with video and audio streams. Protocols such as

MPEG-2 already provide for incorporating ancillary digital data in packets that are

downloaded with digital audio/video content using satellite transmission facilities.

Another example is in the analog realm, in which Philips sells a device called the Ghost

Echo Cancellation Reference Signal. By injecting a known digital stream on a single

analog television VBI line, advanced televisions or PCs can more easily detect when a

multipath (ghost) signal is received and take measures to clean up the image" [0015]; "A

step 222 comprises formatting supplemental data files in a graphical markup language,

preferably HTML. Each supplemental HTML data file has instructions for rendering a

hyperlink page or overlay on the video stream at an indicated time. Each overlay can

have transparent areas or regions, which are set to a key color or chroma color.

Overlays can also contain hyperlinks to other overlays and to other non-overlay

documents and objects" [0051]);

said embedding comprising embedding commands in said video stream to prompt

access to Internet sites offering pushed products selected using analysis of said

viewer's habits ("The user may also view a listing of pay-per-view sports by selecting

option 357, or a listings of sports programs on now by selection option 358. The user

may purchase sports-related merchandise through an interactive shopping application

by selecting option 359. Sports hub screen 350 may also display options for accessing

sports web sites, sports discussion groups, sports chat groups, and other program

guide features (e.g., any features shown and used with other hubs) with sports-related

content" [0166]; "Screen 400 may also provide other options such as the option to buy

tickets for local sports events by selecting option 403. When the user selects option

403, the program guide may provide a schedule of sporting events. The user may select

a sporting event to purchase a ticket for that event. Sporting schedules may be obtained

from a real-time data source, server, or other database" [0185]; [0167]; "Selecting

Specials option 132G from Movies screen 130 (FIG. 5) may display a screen such as

screen 220 shown in FIG. 14. This screen presents list 221 of special offers related to

movies that may be available from the system provider. These offers may include a

special deal on a VOD movie, buy one get one free offers, movie clubs allowing the

user to get discounts on purchases of multiple movies, upgrades of single or multiple

movie channels, etc. Selecting a specific offer may display a screen similar to the

Program Information screen with details on the offer, such as price and description, and

the option to purchase the offer. When the user purchases one of the special offers, this

information along with the user's account information may be transmitted to the

television distribution for processing so that the user can access the purchased

channels, programs, etc., and the user's account may be debited. Further features of an

illustrative interactive television program guide system with pay program package

promotion are described in Knudson et al. U.S. patent application Ser. No. 08/944,153,

filed Oct. 6, 1997, which is hereby incorporated by reference herein in its entirety. While

viewing the Program Information screen for any program that is part of a special offer,

the guide may present the option to view and/or purchase any of those offers" [140];

"guide may provide web sites or merchandise in a shopping application that match the

user's preferences" [0203]);

displaying said additional Internet-based content superimposed on said video stream

from said traditional broadcast signal ("FIG. 3 shows how this is accomplished. An

overlay window 200 is opened for displaying a hyperlink overlay. Video subsystem 66 is

configured to display the video stream in a viewport 201 that coincides in size and

position with the overlay window 200. Thus, non-transparent areas of the hyperlink

overlay appear "through" the video stream, and appear to overlay the video stream"

[0044]; "A step 222 comprises formatting supplemental data files in a graphical markup

language, preferably HTML. Each supplemental HTML data file has instructions for

rendering a hyperlink page or overlay on the video stream at an indicated time.

Overlays can also contain hyperlinks to other overlays and to other non-overlay

documents and objects" [0051]).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed

or described as set forth in section 102 of this title, if the differences between the

subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claim(s) 1, 2, 4, 12, 14, 18-19 is/are rejected under 35 U.S.C. § 103(a) as being unpatentable over Butler et al. (6324694) in view of Smallcomb (5938737).**

As to claim 1, Butler et al. discloses:

receiving a terrestrial broadcast signal comprising a video stream (terrestrial broadcast source [0013]);

interpreting commands embedded in the video stream, said embedded commands operable to access interactive features ("Broadcast source 12 includes means for transmitting or otherwise conveying a primary video stream and ancillary digital data content to receivers 14. In the case of digital satellite transmission, ancillary data can be easily transmitted in digital form along with video and audio streams. Protocols such as MPEG-2 already provide for incorporating ancillary digital data in packets that are downloaded with digital audio/video content using satellite transmission facilities. Another example is in the analog realm, in which Philips sells a device called the Ghost Echo Cancellation Reference Signal. By injecting a known digital stream on a single analog television VBI line, advanced televisions or PCs can more easily detect when a multipath (ghost) signal is received and take measures to clean up the image" [0015]; "A step 222 comprises formatting supplemental data files in a graphical markup language,

preferably HTML. Each supplemental HTML data file has instructions for rendering a

hyperlink page or overlay on the video stream at an indicated time. Each overlay can

have transparent areas or regions, which are set to a key color or chroma color.

Overlays can also contain hyperlinks to other overlays and to other non-overlay

documents and objects" [0051]);

displaying said additional Internet-based content superimposed on said video stream

from said terrestial broadcast signal ("FIG. 3 shows how this is accomplished. An

overlay window 200 is opened for displaying a hyperlink overlay. Video subsystem 66 is

configured to display the video stream in a viewport 201 that coincides in size and

position with the overlay window 200. Thus, non-transparent areas of the hyperlink

overlay appear "through" the video stream, and appear to overlay the video stream"

[0044]; "A step 222 comprises formatting supplemental data files in a graphical markup

language, preferably HTML. Each supplemental HTML data file has instructions for

rendering a hyperlink page or overlay on the video stream at an indicated time.

Overlays can also contain hyperlinks to other overlays and to other non-overlay

documents and objects" [0051]).

Butler fails to specifically teach, said embedded commands synchronized and

correlated with additional Internet-based content; receiving said Internet-based content

via satellite transmission, and sending transmitting information via landline transmission

In an analogous art, Smallcomb discloses said embedded commands synchronized and

correlated with additional Internet-based content; receiving said Internet-based content

via satellite transmission, and sending transmitting information via landline transmission

(satellite downstream telephone line upstream for internet data; col. 3, lines 41-67).

It would have been obvious to one of ordinary skill in the art to modify Butler's system to

teach said embedded commands synchronized and correlated with additional Internet-

based content; receiving said Internet-based content via satellite transmission, and

sending transmitting information via landline transmission, as taught by Smallcomb, so

as to reduce user upstream costs, while enjoying the benefits of broadband

connections.

As to claim 2 Butler et al. discloses:

said embedding comprising embedding HTML commands (met as discussed in claim

1).

As to claim 4 Butler et al. discloses:

said embedding comprising embedding delimiters to define sequential video clips for

storage and future display stream ("FIG. 2 shows an example implementation of PC 14

in more detail. PC 14 is enhanced for purposes of displaying broadcast television and

accompanying digital data content. It includes a motherboard (not shown) having a

processor 52 (e.g., x86 or Pentium.RTM. microprocessor from Intel Corporation) and

volatile memory 54. Volatile memory 54, in combination with non-volatile memory 55,

forms program storage memory 56. Non-volatile memory 55 comprises a floppy disk, a

hard disk, a CD-ROM, or some other type of computer-readable storage media.

Application programs, containing instructions for performing the steps described herein,

are contained in the storage media" [0031]; "A step 234 comprises displaying the

hyperlink overlays, defined by the supplemental data files, on the display device in

conjunction with the video stream. If the overlays have been previously cached, this

step includes retrieving them from cache storage. Control data, received along with the

supplemental data files, is used in this step to associate hyperlink pages or overlays

with the video stream" [0055]; "While the invention has been described primarily for use

with broadcast video streams, note that video streams might also be available through

other means such as local storage (hard disk, DVD, CD, VCR, etc.). The invention is

also useful in conjunction with video sources such as these. For instance, a movie might

be provided on a DVD along with a group of transparent HTML overlay files for use

along with the movie. Alternatively, the movie might be provided on a DVD, with the

overlay files being downloaded from an Internet source" [0060]).

As to claim 14 Butler et al. discloses:

said embedding comprising embedding commands utilizing streaming data from said

Internet or television broadcast to further enhance the viewing experience by

continuously superimposing interactive data in various locations on said broadcast

video ("Broadcast source 12 includes means for transmitting or otherwise conveying a

primary video stream and ancillary digital data content to receivers 14. In the case of

digital satellite transmission, ancillary data can be easily transmitted in digital form along

with video and audio streams. Protocols such as MPEG-2 already provide for

incorporating ancillary digital data in packets that are downloaded with digital

audio/video content using satellite transmission facilities" [0015]; "FIG. 3 shows how this

is accomplished. An overlay window 200 is opened for displaying a hyperlink overlay.

Video subsystem 66 is configured to display the video stream in a viewport 201 that

coincides in size and position with the overlay window 200. The video subsystem is also

configured to display the video stream only over those areas of the hyperlink overlay

that are not set to the predetermined color key. Thus, non-transparent areas of the

hyperlink overlay appear "through" the video stream, and appear to overlay the video

stream." [0044]; "Alternatively, timing and other information can be provided to the PC

along with communication packets in which the overlays are transmitted. The timing

information indicates times, relative to the video stream, at which particular overlays

should be displayed. Hyperlinks can be activated to override the specified timing. An

alternative method to synchronize the video that doesn't rely upon specific timing

relative to the video stream is by using closed-caption text. By examining a closed-

caption stream, specific events can be triggered to occur based upon when the actors

on the screen enunciate certain words that serve as reference marks" [0048]).

As to claim 18, Butler et al. discloses:

a broadcast video receiver for receiving video data from a video provider service via

terrestrial broadcast transmission (terrestrial broadcast source [0013]);

an internet browser providing bidirectional access to internet content ([0041])

a graphics processor capable of receiving said broadcast video content and said

internet content and providing combined video data comprised of both broadcast video

content and internet content (met as discussed above and by processor 52, figure 2;

"FIG. 2 shows an example implementation of PC 14 in more detail. PC 14 is enhanced

for purposes of displaying broadcast television and accompanying digital data content"

[0031]).

a display in communication with said graphics processor for displaying said combined

video data (monitor 68, figure 2; "The PC 14 has a video subsystem 66 connected to

the PCI bus 62. Video and audio data is transferred from tuner 60 over PCI bus 62 to

the video subsystem 66. In some embodiments, tuner hardware instead decodes an

MPEG stream itself without ever passing the data over the PCI bus. In such systems,

the uncompressed raw YUV video is sent along a simple wire connection to the video

subsystem 66 board. In the illustrated embodiment, however, the video subsystem 66

includes circuitry for decoding MPEG-encoded or other video data formats. Video

subsystem 66 also includes video display drivers for driving a computer monitor 68"

[0034]).

a viewer interface interpreting viewer input and sending corresponding data content

through said internet browser to a third party ("The PC 14 has a video subsystem 66

connected to the PCI bus 62. Video and audio data is transferred from tuner 60 over

PCI bus 62 to the video subsystem 66. In some embodiments, tuner hardware instead

decodes an MPEG stream itself without ever passing the data over the PCI bus. In such

systems, the uncompressed raw YUV video is sent along a simple wire connection to

the video subsystem 66 board. In the illustrated embodiment, however, the video

subsystem 66 includes circuitry for decoding MPEG-encoded or other video data

formats. Video subsystem 66 also includes video display drivers for driving a computer

monitor 68" [0029]; "An input/output (I/O) adapter 140 is coupled to the ISA bus 130 to

interface with numerous I/O devices, including a digital tape driver 142, a floppy disk

drive 144, and a hard disk driver 146. A remote receiver 148 is also coupled to the I/O

adapter 140 for receiving signals from the remote cordless keyboard 66 and remote

control handset 68 in an IR or RF format. Alternatively, the keyboard and handset can

be directly wired to the computer. The I/O adapter 140 further provides conventional

serial ports, including a COM1 port 150, a COM2 port 152, and an LPT1 port 154. An IR

transmitter (not shown) can be coupled to the COM1 port 150 to generate infrared

signals to control electronic devices, such as stereo equipment, VCR, and the like. The

computer 60 can also be hooked directly to these components" [0042]; "It will be

apparent to those familiar with Internet technology that the hyperlink overlays described above are similar to documents (often referred to as "Web pages") that can be viewed when browsing the Internet's World Wide Web. This is an attractive feature of the invention, because it allows broadcasters to use existing Internet content development tools for designing ancillary digital data content" [0022]).

Butler fails to specifically teach, said internet browser receiving said internet content via satellite transmission, and said internet browser sending said internet content via landline transmission.

In an analogous art, Smallcomb discloses said internet browser receiving said internet content via satellite transmission, and said internet browser sending said internet content via landline transmission (satellite downstream telephone line upstream for internet data; col. 3, lines 41-67).

It would have been obvious to one of ordinary skill in the art to modify Butler's system to teach said internet browser receiving said internet content via satellite transmission, and said internet browser sending said internet content via landline transmission, as taught by Smallcomb, so as to reduce user upstream costs, while enjoying the benefits of broadband connections.

3.   Claim(s) 1, 3, 5-10, 12-13 and 15-19 is/are rejected under 35 U.S.C. § 103(a)

as being unpatentable over Ellis et al. (2004/0117831) in view of Smallcomb

(5938737).

As to claim 1,

As to claim 1, Ellis et al. discloses:

receiving a terrestrial broadcast signal comprising a video stream ('dedicated digital or

analog channels, or at least an allocated portion of the available bandwidth in

communications paths 24, may be used for the transmission of certain types of data

(e.g., video-on-demand programs, chat messages, etc.). Such dedicated channels may

be separate from the channels used for transmitting television program broadcast

signals to the user television equipment. If desired, television programming may be

transmitted to user television, survey information, etc.) may be transmitted to and from

the user over a second communications path such as a telephone, cable, or wireless

link' [0096]);

interpreting commands embedded in the video stream, said embedded commands

operable to access interactive features ("Communications paths 21A, 21B, 21C, and 23

may be any suitable communications paths such as satellite links, coaxial cable, fiber

optics, free-space transmissions, telephone links, or a combination of such links or other

suitable links. Television distribution facility 16 may also provide data to user television

equipment 20 from communications network 31 (e.g., the Internet) as shown in FIG. 1A"

[0091]; "Each user has a receiver, which is typically a set-top box such as set-top box

26, but which may also be other suitable television equipment into which circuitry similar

to set-top box circuitry has been integrated. For example, user television equipment 20

may be based on an advanced television receiver such as a high-definition television

(HDTV) receiver or other such television-based platform. A set-top box may include a

Data Over Cable Service Interface Specification (DOCSIS) modem for use in two-way

communication to and from a server or television distribution facility: Set-top box 26 may

also comprise a WebTV Internet Receiver; "News stories may be obtained from real-

time news data source 19 (FIG. 1A), from program guide database 14, from a television

distribution facility, or from a web server connected to user television equipment via

communications network 38 (e.g., the Internet) and paths shown in FIG. 1B. If an

individual program has sports scores or news stories associated with it, the scores or

news may be available directly from a listing or information screen by, for example,

providing on-screen options for scores or news stories related to the program. These

options act as hyperlinks which allow users to access related information" [0183]).

displaying said additional Internet-based content superimposed on said video stream

from said terrestial broadcast signal (television 30, figure 1A; "The user may also be

able to bring up a sports ticker without going into the hub (e.g., by pressing a key on the

remote control while watching television). FIG. 35 displays live data of sports scores on

controllable sports ticker 424 in overlay 422 on top of a television program displayed on

screen 420 (e.g., program shown on channel 4). Controllable ticker 424 may contain a

selectable sports category 421 such as national football league (NFL), major league

baseball, national hockey league, etc." [0186]; "The user may view a controllable sports

ticker, as shown for example in FIG. 35, by selecting option 354. The user may

participate in sports wagering and voting as well, as shown for example in FIGS. 36-38,

by selecting option 355. The user may participate in fantasy sports leagues, as shown

for example in FIGS. 39-40, by selecting option 356. The user may also view a listing of

pay-per-view sports by selecting option 357, or a listings of sports programs on now by

selection option 358. The user may purchase sports-related merchandise through an

interactive shopping application by selecting option 359. Sports hub screen 350 may

also display options for accessing sports web sites, sports discussion groups, sports

chat groups, and other program guide features (e.g., any features shown and used with

other hubs) with sports-related content" [0166]).

Ellis fails to specifically teach, said embedded commands synchronized and correlated

with additional Internet-based content; receiving said Internet-based content via satellite

transmission, and sending transmitting information via landline transmission.

In an analogous art, Smallcomb discloses said embedded commands synchronized and

correlated with additional Internet-based content; receiving said Internet-based content

via satellite transmission, and sending transmitting information via landline transmission

(satellite downstream telephone line upstream for internet data; col. 3, lines 41-67).

It would have been obvious to one of ordinary skill in the art to modify Ellis' system to teach said embedded commands synchronized and correlated with additional Internet-based content; receiving said Internet-based content via satellite transmission, and sending transmitting information via landline transmission, as taught by Smallcomb, so as to reduce user upstream costs, while enjoying the benefits of broadband connections.

As to claim 3, Ellis et al. discloses:

providing a digital interactive set-top box coupled to a standard television, said interactive set-top box accessing said additional Internet-based content and superimposing said content on said video stream (met as claimed above in claim 1 with respect to Ellis et al.; "Each user has a receiver, which is typically a set-top box such as set-top box 26, but which may also be other suitable television equipment into which circuitry similar to set-top box circuitry has been integrated. For example, user television equipment 20 may be based on an advanced television receiver such as a high-definition television (HDTV) receiver or other such television-based platform. A set-top box may include a Data Over Cable Service Interface Specification (DOCSIS) modem for use in two-way communication to and from a server or television distribution facility. Set-top box 26 may also comprise a WebTV Internet Receiver. For clarity, the present invention will be described primarily in the context of user television equipment 20 that

is based on set-top boxes 26. As shown in FIG. 1A, each set-top box 26 may have

memory 25. Memory 25 may be used, for example, for maintaining a database of

program listings data" [0098]).

As to claim 5, Ellis et al. discloses:

said embedding comprising embedding delimiters to define sequential video clips for

storage and future display, each of said sequential video clips comprising a segment of

a sporting event ("For example, scores for a past game may be displayed on screen

350. The user may then select the score option on screen 350 to display an information

screen for the game. The information screen may have highlights of the game, an

option to display video highlights, statistics, related stories, etc." [0184]; "If the viewer

selects Video Clips option 132F from Movies screen 130, the program guide may

display a screen such as screen 210 shown in FIG. 13. Screen 210 allows the user to

find specific video clips and to display them. The screen may allow the user to see a list

of new video clips, to see a list of clips related to video on demand movies, to see a list

of clips related to shopping, to see other predefined lists of video clips, or to search for a

clip or clips by selecting an option from list 211. The program guide may provide the

user with an opportunity to search for a video clip or clips, for example, by providing a

television screen similar to screen 200 shown in FIG. 12. When the user selects a

specific clip from list 211, it may be shown in the video window of a Program Information

screen, or it may be shown as a full-screen video. The video clips may be maintained

on a database 14 or on a server at the television distribution facility or elsewhere and

transmitted to the user television equipment along communications paths shown, for

example, in FIGS. 1A-1C" [0138]; While viewing the Program Information screen for any

program with related video clips, the guide may also present the option to view any of

those clips: [0139]; "FIG. 31 is an illustrative interactive television display screen for

highlighted sports television program listings in accordance with the present invention."

[0044]; "The program guide with niche hubs of the present invention may provide the

user with an opportunity to view highlighted television program listings within the hub.

Only programs relating to the user interest category of the niche hub are highlighted in

the program listings. For example, the program guide may display listings screen 380 as

shown in FIG. 31 when the user selects option 352 in menu screen 350 of the sports fan

niche hub. Screen 380 displays listings grid 386 which is organized by time and

television channel. Grid 386 displays all programs on the channels in the grid, but

highlights sports programs since the user entered screen 380 from the sports hub. If a

channel has no programs related to the category of the hub (e.g., sports), the program

guide may omit that channel from the television programs listings entirely. Alternatively,

the program guide may display a screen similar to Movies On Now shown in FIG. 6 (but

directed toward sports programming on now) when the user selects option 352." [0175];

"If the user has selected a sport from list 361 in screen 360 (such as football), only

programs relating to that sport are highlighted in grid 386. The program guide listings

may be obtained from database 14. The program guide application on the set-top box or

computing equipment at the television distribution facility or other location may highlight

the sports programs as shown in FIG. 31." [0176])

As to claim 6, Ellis et al. discloses:

storing one or more of said video clips of said selected plays; summarizing said stored

video clips with a graphic summary including coded indicators denoting types of plays;

replaying one of said video clips upon viewer selection of a corresponding said coded

indicator (met as discussed in claim 5 and "Video window 105, typically showing the

currently tuned channel, but which may show other videos, such as video clips on

demand" [0018]; "Each individual area within the hub that is tailored to a sub-category

such as a specific sport, team, league, etc. contains niche hub features that relate to

that sub-category. For example, if the user enters the football area of the niche hub, the

program guide displays options such as television program listings, news groups, news

stories, sports scores, fantasy sports leagues, etc. that relate (or only relate) to football

in screen 350 and in other display screens of the sports fan hub. These options can be

the same as screen 350 with filtered content related to the selected sub-category, a

subset of the options displayed on screen 350, or options that are specific to the

selected sub-category" [0169]; "The information screen may have highlights of the

game, an option to display video highlights, statistics, related stories, etc." [0184]).

As to claim 7 Ellis et al. discloses:

comprising selecting a fixed graphic format for viewing on a standard non-interactive

television (program guide as shown in figure 31).

As to claim 8 Ellis et al. discloses:

said embedding comprising embedding commands in said video stream to facilitate

polling of viewers, allowing said viewers to vote on an aspect of said simultaneously

displayed broadcast data ("The user may view a controllable sports ticker, as shown for

example in FIG. 35, by selecting option 354. The user may participate in sports

wagering and voting as well, as shown for example in FIGS. 36-38, by selecting option

355. The user may participate in fantasy sports leagues, as shown for example in FIGS.

39-40, by selecting option 356" [0166]).

As to claim 9, see claim 10.

As to claims 10 Ellis et al. discloses:

said embedding comprising embedding commands in said video stream to prompt

access to Internet sites offering pushed products selected from the group consisting of:

tickets to future sporting events, travel packages, and sports apparel ("The user may

also view a listing of pay-per-view sports by selecting option 357, or a listings of sports

programs on now by selection option 358. The user may purchase sports-related

merchandise through an interactive shopping application by selecting option 359. Sports

hub screen 350 may also display options for accessing sports web sites, sports

discussion groups, sports chat groups, and other program guide features (e.g., any

features shown and used with other hubs) with sports-related content" [0166]; "Screen

400 may also provide other options such as the option to buy tickets for local sports

events by selecting option 403. When the user selects option 403, the program guide

may provide a schedule of sporting events. The user may select a sporting event to purchase a ticket for that event. Sporting schedules may be obtained from a real-time data source, server, or other database" [0185]).

As to claim 12 Ellis et al. discloses:

said embedding comprising embedding commands enabling a viewer to interactively complete a transaction to purchase various products by selecting an Internet generated . icon on the display screen ("a user could click on Tim Allen's Binford saw during an episode of "Tool Time" to find out more information about it such as where to purchase it" [0046]; "guide may provide web sites or merchandise in a shopping application that match the user's preferences" [0203]).

As to claim 13 Ellis et al. discloses:

said embedding comprising embedding commands enabling a viewer to interactively complete a transaction to purchase various products and receive confirmation of said transaction in real-time on a display screen (met as discussed in claim 12 and also "Screen 400 may also provide other options such as the option to buy tickets for local sports events by selecting option 403. When the user selects option 403, the program guide may provide a schedule of sporting events. The user may select a sporting event

to purchase a ticket for that event. Sporting schedules may be obtained from a real-time

data source, server, or other database" [0185]).

As to claim 15 Ellis et al. discloses:

said embedding comprising embedding commands utilizing streaming data comprising

a selected personalized portfolio of stocks, the ticker for said selected portfolio being

taken from market data embedded in said video stream and presented and updated in a

banner or window on said display screen ("Real-time data sources 11 such as real-time·

sports data source 15, real-time stock market data source 17, real-time news data

source 19, and real-time music source 27 are used to gather information such as sports

scores, stock quotes, news, music and the like from, e.g., various sporting and news

sources or radio stations. Real-time information from real-time data sources 30 may be

provided to each of the television distribution facilities 16 by providing this information to

main facility 12 via communications path 23 and redistributing the information to

television distribution facilities 16 via paths 18. Television distribution facility 16 may

also provide data to user television equipment 20 from communications network 31

(e.g., the Internet) as shown in FIG. 1A" [0091]; "Another illustrative television program

guide main menu screen of a niche hub in accordance with the present invention is

shown in FIG. 58. Menu screen 690 in FIG. 58 is the main menu screen of a news and

information hub. Screen 690 provides the user with the option of using a variety of

program guide features related to news and information. The user may view a stock

report by selecting option 691A as discussed with respect to FIG. 59. The user may

view a stock ticker by selecting option 691B as discussed with respect to FIG. 60"

[0235]; "" [Referring to FIG. 59, screen 700 is an example of a stock report display

screen that the program guide can provide when the user selects option 691A in screen

690. Screen 700 provides the user with a personalized stock report in list 701. List 701 .

provides the latest stock quote for a list of publicly traded companies, indexes, and

funds as well as the change in the current price relative to the previous day's closing

price. The user may add stocks to the list 701 by selecting option 702 in screen 700.

The program guide may then provide the user with a list of stocks to choose from that

may be added to list 701. The user may scroll down the list by entering letters from a

keypad. If desired, the program guide may provide the user with the opportunity to enter

stock symbols to add stocks to screen 700" [0236]; "The program guide may also

provide a scrolling stock ticker as shown, for example, in FIG. 60 when the user selects

option 691B in screen 690. The program guide may then display the video and audio for

the current television channel concurrently with a stock ticker in overlay 711. Overlay

711 contains stock ticker 712 which continuously scrolls recent stock quotes for a

variety of publicly traded companies, indexes, and funds. If desired, ticker 712 may

scroll only a subset of stocks that are selected by the user (e.g., that are picked on

screen 700). The program guide may obtain real-time stock information for scrolling

ticker 712 and list 701 in screen 700 from real-time stock market data source 17 along a

digital or analog channel in communications paths as shown, for example, in FIG. 1A."

[0237]; "The program guide may also obtain news stories, weather reports, and stock

quotes from a web server (e.g., server 36) connected to user television equipment via

communications network 38 (FIG. 1B)" [0242]; "The user may also be able to bring up a

sports ticker without going into the hub (e.g., by pressing a key on the remote control

while watching television). FIG. 35 displays live data of sports scores on controllable

sports ticker 424 in overlay 422 on top of a television program displayed on screen 420

(e.g., program shown on channel 4)." [102]).

As to claim 16 Ellis et al. discloses:

comprising editing interactive data selected from a group consisting of sports teams and

portfolio stocks from a screen menu in real-time (met as discussed in claim 15 and "FIG.

44 is an illustrative interactive television display screen for a editing a personal profile in

accordance with the present invention" [0057]; "The user may edit a user profile by

selecting a profile in list 541 and then pressing an "OK" key on the remote control. The

program guide may then display a screen such as television display screen 550 as

shown in FIG. 44. The personal profile screen may also provide the user with the

opportunity to enter other user preference information such as favorite channels, actors,

directors, genres of programming, etc. The program guide may use the user preference

information to set targeted advertising, automatic reminders, automatic recording of

favorite programs, etc." [0202]; "Interactive program guides operating on user television

equipment 76 may also provide users with the opportunity to compose a message and

send it to message processing facility 71. For example, program guides may provide

users with the opportunity to compose a message to a television channel or a television

personality and send the message to a television program entity that processes

messages for that television channel or television personality. Program guides may also

provide users with an opportunity to vote for athletes who are candidates for an all-star

team, enter a television program contest, answer trivia questions, participate in sports or

horse wagering or other interactive wagering, etc. The program guide may send the

user's input (e.g., the user's vote, the user's response to a contest question or trivia

question, the user's bet, etc.) to message processing facility 71 which processes user

responses (e.g., counts users' votes, evaluates user's answers to contest and trivia

questions, places the user's bet, etc.) User television equipment 78 may also send

messages to television distribution facility 74 and other user television equipment 78 via

two-way communications paths 77. Messages from user television equipment 76 and

78 may be forwarded by television distribution facilities 72 and 74 to message

processing facility 71 via communications paths 73 which may be satellite links, cable

links, telephone network links, microwave links, etc. Communications paths 73 may be

two-way communications paths" [0111]).

As to claim 17 Ellis et al. discloses:

comprising providing taskbars displaying various accounts in the home (met as

discussed in claim 11 and "The user may edit a user profile by selecting a profile in list

541 and then pressing an "OK" key on the remote control. The program guide may then

display a screen such as television display screen 550 as shown in FIG. 44. The user

may enter a password in region 551 to enter that user profile. The user may set a rating

restriction in region 552 for the selected name by pressing LEFT and RIGHT arrow keys

on the remote control to scroll through a list of rating restrictions. The users favorite

program or programs are displayed in region 553. The personal profile screen may also

provide the user with the opportunity to enter other user preference information such as

favorite channels, actors, directors, genres of programming, etc. The program guide

may use the user preference information to set targeted advertising, automatic

reminders, automatic recording of favorite programs, etc." [0202]). .

As to claim 18, Ellis et al. disclose:

a broadcast video receiver for receiving video data from a video provider service via a

terrestrial broadcast transmission (terrestrial broadcast source [0013]);

a graphics processor capable of receiving said broadcast video content and said

internet content and providing combined video data comprised of both broadcast video

content and internet content; a display in communication with said graphics processor

for displaying said combined video data; a viewer interface interpreting viewer input and

sending corresponding data content through said internet browser to a third party (set-

top box 26, television 30, all of figure 1A; "Main facility 12 preferably contains a

processor to handle information distribution tasks. Each set-top box 26 preferably

contains a processor to handle tasks associated with implementing an interactive

television program guide" [0100]).

Ellis fails to specifically teach, an internet browser providing bidirectional access to

internet content, said internet browser receiving said internet content via satellite

transmission, and said internet browser sending said internet content via landline

transmission.

In an analogous art, Smallcomb discloses an internet browser providing bidirectional

access to internet content, said internet browser receiving said internet content via

satellite transmission, and said internet browser sending said internet content via

landline transmission (satellite downstream telephone line upstream for internet data;

col. 3, lines 41-67).

It would have been obvious to one of ordinary skill in the art to modify Butler's system to

teach said embedded commands synchronized and correlated with additional Internet-

based content; receiving said Internet-based content via satellite transmission, and

sending transmitting information via landline transmission, as taught by Smallcomb, so

as to reduce user upstream costs, while enjoying the benefits of broadband

connections.

As to claim 19, Ellis et al. disclose:

said internet browser, said graphics processor, and said viewer interface comprising an

interactive set-top box (met as discussed in claim 18).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Shirley Chang whose telephone number is (571) 272-

8546. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

SC

CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600